

**REMARKS**

In response to the rejection of claims 3-17 on formal matters, Claims 1 to 17 have been cancelled, and new claims 18 to 33 have been added, in order to point out the invention. New claims 18-33 are not multiple dependent claims and are free of the objection under 37 CFR 1.75(c).

In drafting the new claims, care has been put to place the new claims in the form required by 35 U.S.C. 112, second paragraph. The cutting and nibbling function of the machine has been related to the machining heads and an antecedent basis has been provided for the term "beams".

Claims 1-3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Clem in view of Gentile.

Reconsideration is requested.

Claim 18 is a combination of previous claims 1 and 3, recites the inventive feature that the claimed apparatus comprises a plurality of offset rollers performing a series of folding and counter-folding operations for providing the sheet metal element in a perfectly flat condition, the machining heads being driven parallel to the beams and transversely of the sheet metal element feeding direction.

None of the prior art patents teach or suggest such a combination of features.

Clem discloses an apparatus for making blades for tire curing molds which has a top mounted hydraulic cylinder. The hydraulic cylinder is not transversely driven as are the machining heads in the

7

apparatus defined by new claim 18. Clem uses compound slides to position material under the hydraulic punch which is always in a fixed position. For this reason, the apparatus disclosed by Clem does not teach a structure that makes the claimed apparatus obvious. The secondary reference, Gentile, discloses a punch press feeding apparatus which does not have movable top and bottom machining heads. There is no teaching in the primary reference that would direct a skilled artisan to utilize the teachings of the secondary reference in the apparatus of the primary reference. For these reasons, it is requested that this ground of rejection be withdrawn.

New claims 19 to 33 point out other structural features of Applicant's apparatus which are neither disclosed or suggested by the prior art patents.

Applicant desires to draw the attention of the Examiner on the fact that the corresponding European patent application has been granted. In view of the foregoing discussion, allowance of the application is respectfully solicited.

Respectfully submitted,



James V. Costigan  
Registration No. 25,669

Hedman & Costigan, P.C.  
1185 Avenue of the Americas  
New York, NY 10036  
(212) 302-8989